

OFFICIAL

JUN 14 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of ) ANTI-VIBRATION BARS FOR BOILER  
George H. Harth, III ) TUBES WITH PROTECTIVE SHIELDS  
Filed: March 17, 2004 )  
Serial No: 10/802,688 ) Confirmation No. 5359  
Art Unit: 3749 ) Case 7071  
Examiner: N/A )  
Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE TO FILE MISSING PARTS OF APPLICATION -**  
**FILING DATE GRANTED**

Dear Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED mailed June 3, 2004 (copy enclosed), enclosed is a corrected Fee Transmittal for FY 2004. The Notice required that the Transmittal be filed within two months from the date of the letter; i.e., August 3, 2004. Please charge our Deposit Account No. 50-1813 with the surcharge of \$130.00 for filing the missing parts as set forth in 37 CFR §1.16(e).

The U.S. Patent & Trademark Office is requested to contact the Applicant's attorney at (330) 860-6605 should there be any questions regarding this matter.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO on 6-14-04

(Date)

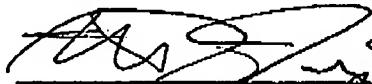
703-872-9306

Carolyn Mahoney

Name of person mailing

Carolyn Mahoney 6/14/04  
Signature Date

Respectfully submitted,



Michael J. Seymour, Serial No. 54,436  
THE BABCOCK & WILCOX COMPANY  
Patent Department  
20 S. Van Buren Avenue  
Barberton, Ohio 44203  
(330) 860-6605

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 900.00)

## Complete if Known

Application Number	10/802,688
Filing Date	March 17, 2004
First Named Inventor	George H Harth
Examiner Name	Not Assigned
Art Unit	3749
Attorney Docket No.	Case 7071

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	50-1831
Deposit Account Name	The Babcock & Wilcox Co.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (S)	Fee Code (S)		
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 630	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 770.00)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Fee Code (S)	Fee Code (S)		
11	-20** = 0	x 18	= 0.00
Independent Claims 2	- 3** = 0	x 86	= 0.00
Multiple Dependent		290	= 0.00
SUBTOTAL (2) (\$ 0.00)			

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (S)	Fee Code (S)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

(Complete if applicable)

Name (Print/Type)	Michael J. Seymour	Registration No. (Attorney/Agent)	54,436	Telephone	330-860-8605
Signature				Date	June 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\* You need assistance in completing the form call 1-800-DPA-8000 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

OFFICIAL  
Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 14 2004

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,688	03/17/2004	George H. Harth III	Case 7071

**CONFIRMATION NO. 5359**

**FORMALITIES LETTER**



"OC000000012849534"

The Babcock & Wilcox Company  
Patent Department  
20 S. Van Buren Avenue  
Barberton, OH 44203-0351

Date Mailed: 06/03/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY